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12 Attorneys for Petitioners
13 DREYER'S GRAND ICE CREAM, INC. and
13 EDY'S GRAND ICE CREAM
14

15 UNITED STATES DISTRICT COURT

16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 (OAKLAND DIVISION)

19 DREYER'S GRAND ICE CREAM, INC., a
20 Delaware corporation, and EDY'S GRAND ICE
20 CREAM, a California corporation,

21 Petitioners,

22 v.

23 ICE CREAM DISTRIBUTORS OF
24 EVANSVILLE, an Indiana limited liability
company,

25 Respondent.

Case No. C07-00140 CW

STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
[PROPOSED] ORDER

Date: October 13, 2007

Time: 2:00 pm

Place: Courtroom 2, 4th Floor

Judge: The Honorable Claudia Wilken

Petition Filed: January 9, 2007

1 The parties to the action, Dreyer's Grand Ice Cream, Inc. and Edy's Grand Ice Cream
2 (collectively "Dreyer's") and Ice Cream Distributors of Evansville ("ICD") jointly request that this
3 Court continue the Case Management Conference currently scheduled for November 13, 2007 for
4 thirty days.

The continuance is requested because an Involuntary Petition for Bankruptcy has been filed against ICD in the United States Bankruptcy Court for the Western District of Kentucky. As a result of this bankruptcy filing, the parties anticipate that the Bankruptcy Court will issue an automatic stay staying Dreyer's claims against ICD. The parties further anticipate United States Trustee involvement in ICD's claims against Dreyer's.

10 | DATED: November 7, 2007 Respectfully submitted,

TOWNSEND AND TOWNSEND AND CREW LLP

13 By: /s/ Iris Sockel Mitrakos
14 IRIS SOCKEL MITRAKOS
15 Attorneys for Petitioners
DREYER'S GRAND ICE CREAM, INC. and
EDY'S GRAND ICE CREAM

16 DATED: November 7, 2007 RIECK AND CROTTY, P.C.

By: /s/ Kevin P. Brown
KEVIN P. BROWN
Attorneys for Respondent
ICE CREAM DISTRIBUTORS OF EVANSVILLE LLC

ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED. The Case Management Conference shall be continued to 18 at 3pm.

24 DATED: November 7, 2007

24 DATED: November 3, 2007

24 DATED: November 7, 2007

24 DATED: November 7, 2007

JUDGE OF THE UNITED STATES DISTRICT COURT

27 | 61203669 v1